

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

APPLERA CORPORATION, MDS INC.,  
and APPLIED BIOSYSTEMS/MDS SCIEX  
INSTRUMENTS,

*Plaintiffs,*

v.

THERMO ELECTRON CORPORATION,

*Defendant.*

C.A. No. 04-1230-GMS

THERMO FINNIGAN LLC,

*Plaintiff,*

v.

APPLERA CORPORATION, MDS INC.,  
and APPLIED BIOSYSTEMS/MDS SCIEX  
INSTRUMENTS,

*Defendants.*

C.A. No. 05-110-GMS

**ORDER**

This \_\_\_\_\_ day of \_\_\_\_\_, 2006, the Court having reviewed the submissions of the parties regarding Applera Corporation, MDS Inc., and Applied Biosystems/MDS Sciex Instruments' (collectively, "AB/Sciex") Motion for Reargument of the Court's Decision to Stay Civil Action No. 04-1230-GMS (D.I. 65 in C.A. 05-110-GMS), and having concluded that good grounds exist for the requested relief, now therefore:

IT IS HEREBY ORDERED that:

1. AB/Sciex's Motion for Reargument is hereby GRANTED;
2. The stay of Civil Action No. 04-1230-GMS is hereby VACATED; and
3. Civil Action No. 05-110-GMS hereby remains STAYED.

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United States District Judge